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### PART-IIA

#### GOVERNMENT OF MEGHALAYA

#### NOTIFICATIONS

The 15<sup>th</sup> October, 2020.

**No.ERTS (E) 49/2020/36.** - In exercise of the powers conferred by Section 36 of the Meghalaya Excise Act (Assam Act of 1910) as adapted by Meghalaya, the Governor of Meghalaya is pleased to make the following rules to amend the Meghalaya Bonded Warehouse Rules (Assam Bonded Warehouses Rules, 1965 as adapted by Meghalaya), hereinafter referred to as the Principal Rules, namely:-

1. **Short title and Commencement.**- (1) These rules may be called the Meghalaya Bonded Warehouse (Amendment) Rules, 2020.  
(2) They shall come into force with immediate effect.
2. **Insertion of new clause (iia) in rule 2.**- In the principal rules, in rule 2, after the existing clause (ii) the following new clause shall be inserted, namely,-  
"(iia) "Central Bonded Warehouse" means a licensed Central Warehouse where IMFL, Beer, Wine, BIO etc., imported on pre-payment of Excise or Advalorem duty, Import Pass Fee or Transport Pass Fee and Literage Fee are kept for eventual removal to Bonded Warehouses as provided for in the Meghalaya Bonded Warehouse Rules (The Assam Bonded Warehouses Rules, 1965, as adapted by Meghalaya), and all its extant rules."
3. **Insertion of new rule 44.**- In the principal rules, after the existing rule 43 the following new rule shall be inserted, namely,-  
**"44. License for Central Bonded Warehouse shall be granted on the following conditions:** (1) A license to establish and work a Central Bonded Warehouse in the designated area on prior approval of Government shall be issued by the Commissioner of Excise.  
(2) Selection for license to establish and work a Central Bonded Warehouse in the State shall be based on competitive bidding process, open to Individuals, Partnerships firms, Companies, etc.  
(3) The base fee for a license to operate a Central Bonded Warehouse shall be ₹ 1,50,00,000/- (Rupees One Crore Fifty Lakh) only annually, or as fixed by Government from time to time.

- (4) The tenure of the license shall be for ten years. The Commissioner of Excise however, reserves the right to extend the period of the tenure, with prior approval of the State Government, for any additional period after expiry of the term of the license at the same or revised terms and conditions as awarded.
- (5) The Central Bonded Warehouse shall deposit a Security Deposit of an amount equivalent to the awarded annual License fee for a period of ten years pledged to Commissioner of Excise, which shall be forfeited in case of failure to abide by the conditions as laid down in the license or any breach of Meghalaya Excise Act and Rules.
- (6) The Central Bonded Warehouse shall operate on a plot of land measuring not less than One Lakh Fifty Thousand square feet which is fully developed for immediate use, duly surveyed and certified by the Deputy Commissioner.
- (7) The Central Bonded Warehouse must construct a warehouse or godown having a capacity to hold at least Six Lakh cases of IMFL, Beer, Wine, BIO etc. within a period of four months from the date of issue of license, alongwith a building safety certification from PWD (Building).
- (8) The Central Bonded Warehouse shall be eligible to supply only to the bonded warehouses located within the state.
- (9) The Central Bonded Warehouse shall have the capacity to supply and deliver all the registered brands of IMFL, Beer, Wine, BIO etc. to the Bonded Warehouses within forty-five days for goods produced in the State and sixty days for goods imported from outside the State.
- (10) The Central Bonded Warehouse shall have a minimum stock of all types of brands for three months at any point in time, so that continuous regular supply can be maintained for all Bonded Warehouses throughout the State.
- (11) The Central Bonded Warehouse must be made operational within four months from the date of issue of license.
- (12) The minimum profit margin eligible for bonded warehouses on their sale to retail IMFL "OFF" and "ON" licenses shall be 8% (eight percent) for IMFL brands only (except Bottle in Origin).
- (13) The Central Bonded Warehouse or ex-bond rates of all the imported goods shall be subject to approval by the Commissioner of Excise during the course of annual registration of brands.
- (14) On commencement of the Central Bonded Warehouse, the Bonded Warehouses shall lift all the liquor from the Central Bonded Warehouse against the import permits issued by the Commissioner of Excise and cease to import directly from the Companies, Bottling Plants etc.

**S. A. SYNREM,**

Commissioner & Secretary to the Govt. of Meghalaya,  
Excise, Registration, Taxation & Stamps Department.

The 15<sup>th</sup> October, 2020.

**No.ERTS (E) 49/2020/37.** - In exercise of the powers conferred by Section 36 of the Meghalaya Excise Act (Assam Act of 1910) as adapted by Meghalaya, the Governor of Meghalaya is pleased to make the following rules further to amend the Meghalaya Excise Rules (Assam Excise Rules 1945 as adapted and amended by Meghalaya), hereinafter referred to as the Principal Rules, namely:-

1. **Short title and Commencement:** (1) These rules may be called the Meghalaya Excise (Third Amendment) Rules, 2020.  
(2) They shall come into force with effect from commencement of Central Bonded Warehouses.
2. **Amendment of Rule 3.-** In the principal rules, in rule 3, in sub-rule (2) for the word "Bonded Warehouse" the word "Central Bonded Warehouse" shall be substituted.
3. **Amendment of Rule 4.-** In the principal rules, in rule 4, in clause (iv) for the word "Bonded Warehouse" the word "Central Bonded Warehouse" shall be substituted.
4. **Amendment of Rule 4A.-** In the principal rules, for the existing rule 4A the following shall be substituted, namely,-  

**"4A.** Central Bonded Warehouse (CBW) shall apply Import Permit on liquor allowed for Canteen Licenses, based on the quarterly allotment on payment of Import Pass Fee/Transport Pass Fee, Literage Fee and Advalorem duty at the rate applicable to Canteen License as notified by the State Government from time to time. At the end of every quarter, i.e. last day of March, June, Sept and Dec of every year, the Central Bonded Warehouse shall pay to the State Government the Advalorem on the remaining stock, if any, at the rate applicable for retail license on that day within fifteen days. Similar procedure shall be followed by bonded warehouses for liquor meant for Canteen licenses".
5. **Amendment of Rule 141.-** In the principal rules, for the existing rule 141 the following shall be substituted, namely,-

**"141 Transit Wastage Allowance** - An allowance upto the maximum journey shown below shall be made for loss that may occur in transit due to breakage, leakage or evaporation of spirit including IMFL, Beer, Wine, BIO when transported, exported or imported under Bond or on pre-payment of Advalorem/Excise duty, Import Pass Fee/Transport Pass Fee and Literage Fee.

Duration of Transportation	Transit Wastage Allowance (in %)		
	If in wooden vessels	If in metal vessels	If in glass vessels/pearl pot vessels
For a journey within the State	2 percent	½ percent	1 percent
For a journey from North Eastern States to Meghalaya	2½ percent	1 percent	1½ percent
For a journey from beyond North Eastern States to Meghalaya	3 percent	1½ percent	2 percent

The Commissioner of Excise shall permit the same upto the permissible limit and order it to be adjusted with the Advalorem/Excise duty, Import or Transport pass fee and Literage fee involved against the Import or Transport Permit of Central Bonded Warehouse; The Central Bonded Warehouse shall pass on fifty percent of the permissible Transit Wastage Allowance to the Bonded Warehouses.

**S. A. SYNREM,**

Commissioner & Secretary to the Govt. of Meghalaya,  
Excise, Registration, Taxation & Stamps Department.

The 14<sup>th</sup> October, 2020.

**No.ERTS(T) 49/2020/29.** - In exercise of the powers conferred under sub-section (3) of Section 1 of the Meghalaya Settlement of Arrears (under State Taxation Acts) Ordinance, 2020, (herein after called "the Ordinance") the Governor of Meghalaya is pleased to appoint the 28<sup>th</sup> September, 2020 as the date where the provisions of the said Ordinance shall come into effect.

**S. A. SYNREM,**

Commissioner & Secretary to the Govt. of Meghalaya,  
Excise, Registration, Taxation & Stamps Department.

The 14<sup>th</sup> October, 2020.

**No.CTA-62/2011/Pt.1/79.** - In pursuance of the provisions of Sub-Rule 9 of Rules 8 of the Central Sales Tax (Meghalaya) Rule 1957, it is hereby notified for General Information that the following online declaration Form 'C' bearing SI. No. Megh/C/15/1504408 issued by the Superintendent of Taxes, Khliehriat to M/S J.K. Service Station, Lumshnong, East Jaintia Hills District, Meghalaya on 14<sup>th</sup> August, 2020 is declared invalid and obsolete from the date of issue for all intents and purposes due to erroneous entry of data while uploading transaction details. Dealers are cautioned against accepting the said form for the purpose of trade. Anyone fraudulently found using the said forms will bind himself liable for action in accordance with the provisions of the Central Sales Tax Act, 1956 and the Rules framed thereunder.

**K. WAR,**

Deputy Commissioner of Taxes,  
Meghalaya, Shillong.

The 14<sup>th</sup> October, 2020.

**No.LBG.39/2014/Pt/228.** - WHEREAS Ease of Doing Business is a priority of the Government of Meghalaya, in consonance with the Business Reform Action Plan of the Department for Promotion of Industry and Internal Trade, Ministry of Commerce & Industry, Government of India;

WHEREAS there is a need to simplify business regulations and ease of compliance of labour laws, and bring in transparency and accountability in the inspection of establishments and industries, for creating a conducive environment for business investors and entrepreneurs in the State;

WHEREAS there is a need of introduction of online inspection system in Labour Commissionerate to ensure simplification, transparency and accountability of inspection and ease of compliance of law by the Employers/Establishments under various statutes and rules;

WHEREAS there is a need to allow access of online inspection reports by businesses and provisions to report unofficial visits by Inspectors/Officials;

NOW, THEREFORE, the State Government has decided to introduce an online-based inspection system called the Central Inspection System that will cover the Offices of the Labour Commissioner and Chief Inspector of Boilers and Factories of Labour Department, and Offices of the Controller of Legal Metrology and Meghalaya State Pollution Control Board and accordingly one web-based online inspection system is being developed.

After careful examination of the matter, the Government of Meghalaya hereby issues the following online inspection procedures for the Central Inspection System with regards to the Labour Commissionerate of Labour Department to categorise establishments or industries in the online Central Inspection System for random selection of units and random allocation of inspectors for inspection under various Labour Laws.

**1. The following Acts will be covered under the online Central Inspection System:**

- (a) The Minimum Wages Act, 1948.
- (b) The Equal Remuneration Act, 1976.
- (c) The Payment of Bonus Act, 1965.
- (d) The Payment of Wages Act, 1936.
- (e) The Payment of Gratuity Act, 1972.
- (f) The Maternity Benefit Act, 1961.
- (g) The Contract Labour (Regulation and Abolition) Act, 1970.
- (h) The Meghalaya Shops and Establishments Act, 2003.
- (i) The Child and Adolescent Labour (Prohibition & Regulation) Act, 1986.
- (j) The Inter-State Migrant Workmen (Regulation of Employment & Conditions of Service) Act, 1979.

**2. Database of Establishments:** The following shall be the sources of database of establishments and industries for online inspections:

- (a) Data of Establishments and Industries registered/renewed through a ledger/register book and maintained manually at the District Labour Offices, and which will be subsequently uploaded to the portal.
- (b) Data of Establishments and Industries registered/renewed online through the online registration portal of Labour Department/Commissionerate and/or Invest Meghalaya, pending full-fledged computerisation of the Commissionerate and its subordinate offices.

3. **Frequency of Inspection:** Unless provided for in any of the relevant labour laws, the routine inspection of establishments and industries shall be carried out as follows:

Sl. No.	Category of the industry/ establishment	Frequency of Inspection
1	Very Low Risk	Exempted
2	Low Risk	Once in 3 years
3	Medium Risk	Once in 2 years
4	High Risk	Once in a year

4. **Risk Based Selection of Establishments:** The selection of establishments and industries shall be on the basis of the following Risk Assessment criteria:

- A. Number of workers employed.
- B. Number of Contract Workers engaged.
- C. Nature of Activity of the establishment or industry.

There are the other following criteria that may be considered for selection of establishments and industries for inspection:

- D. Status of Compliance on the basis of Annual Returns or Online Inspections (Ratings of Compliance to be given by the department).
- E. Complaints (from workers, trade unions, management, citizens, etc.).
- F. Compulsory Inspections (Court Orders, Orders of Judicial Institutions like Lok Ayukta, Human Rights Commission, Women's Commission, Child Rights Commission, etc.).

- A. **Risk Categorisation on the basis of the total number of workers:** Establishments/Industries will be categorised into High Risk, Medium Risk, Low Risk & Very Low Risk, based on the number of workers employed. The risks of the workers in terms of their entitlements viz., wages, bonus & other remunerations, leave, holidays, working hours, worksite facilities, safety & health, welfare and social security measures like gratuity, EPF, accident compensations, etc.

Sl. No.	No. of Workers	Category of the industry/ establishment
1	0-5	Very Low Risk
2	6-50	Low Risk
3	51- 100	Medium Risk
4	101 and above	High Risk

- B. **Risk Categorisation on the basis of the number of contract workers engaged:** There are certain establishments and industries employing large number of contract workers, in some cases more than the number of regular workers. The terms and conditions of employment of regular workers and contract workers are totally different and contract workers are prone to exploitation. Such establishment and industries are categorized as follows:

Sl. No.	No. of Contract Workers	Category of the Industry/ Establishment
1	0 (zero)	Low Risk
2	Less than 50% of regular workers	Medium Risk
3	More than 50% of regular workers	High Risk

**C. Risk Categorisation on the basis of the Nature of Activity of the establishment or industry:** In certain activities of the establishments and industries, workers are prone to the Exploitation, apart from the risk of accidents and health hazards. In view of that, establishments and industries are categorised as below:

**(i) High Risk Establishments:** The establishments and industries undertaking the following activities are categorized as high risk establishments.

1. Automobile engineering workshops including servicing and repairs.
2. Brick kilns, Brick Making and other Cement Concrete based products.
3. Cashew Nut Processing.
4. Chemicals and Pharmaceuticals.
5. Cement and related/allied activities.
6. Coke and related activities.
7. Cinemas Industry.
8. Colour Printing and Yarn Dyeing.
9. Construction or maintenance of roads and buildings.
10. Cotton ginning and pressing.
11. Glass industry.
12. Hotels, Restaurants and Eating houses.
13. Jute and Coir.
14. Match & Fire Works.
15. Food based Industry.
16. Ferro Alloys, Metal Foundries and General Engineering.
17. Mines & Minerals.
18. Petrol Pumps and Sales, Distribution & Handling of Petroleum Products.
19. Power generation, distribution and transmission.
20. Power loom industry.
21. Rice Mills, Flour Mills, Saw mills.
22. Stone breaking and stone crushing.
23. Tiles (Concrete or otherwise) and Potteries.
24. Security Services.
25. Spinning mills.
26. Baking process including biscuit manufactory.
27. Cement concrete pipes.
28. Distilleries and breweries.
29. Paper and paper boards.

30. Straw board and handmade paper manufactory.
31. Wood work establishments (including Plywood Industry).
32. Woollen carpeting and shawl weaving establishments.

(ii) **Medium risk establishments:** On the above same basis, the following establishments and industries are categorized as Medium Risk Establishments.

1. Candle Making.
2. Courier/Delivery Services.
3. Clubs and canteens.
4. Electronics/IT/ITeS Industry,
5. Fisheries and fish foods.
6. Garment and allied manufacturing industry.
7. Hospitals, Nursing homes and clinics other than Govt. Hospitals and dispensaries.
8. Salt Pans.
9. Soft drinks and aerated/ mineral/ distilled water manufacturing units.
10. Hand loom weaving.
11. Printing press including litho and offset printing.
12. Transit Godowns, etc.

(iii) **Low Risk Establishments:** All other establishments and industries which are not included in the above mentioned categories shall be treated as Low Risk Establishments.

5. **Exemption from Online-based Central Inspection System:**

- (a) Establishment/Industry with 0 (zero) employees or employing family members only.
- (b) Start-Ups Establishment/Industry for the period of five (5) years from the date of commencement of business as per the Self Certification Scheme notified by the Labour Department, Government of Meghalaya.
- (c) Establishment/Industry specifically exempted by the Government of Meghalaya.

6. **Mandatory and Surprise Inspections:** Mandatory/Surprise inspection of the establishment or industry shall be carried out at any time with prior approval of the Labour Commissioner, Meghalaya. Such inspections may be carried out on the basis of

- (a) Complaints received from Trade Unions or Workers or Citizens, etc
- (b) Instruction received from the State Government, Deputy Commissioner, State Human Rights Commission, State Commission for Protection of Child Rights, State Women Commission, Lok Ayukta, or Elected Public Representatives (MPs, MLAs).
- (c) Relating to Judicial matters or Court cases.
- (d) Special Drive, e.g., Child Labour, Bonded Labour, etc.

7. **Third party Certification:** There is no Third Party Agency available in Meghalaya, assessed or registered/declared, who can certify/inspect the Establishments under various labour laws. However, whenever such type of agency is available, necessary initiatives will be taken for implementing "Third Party Certification" for the Medium Risk Establishments.



**8. Random allocation of establishments and inspectors for online inspection:**

- (a) The online Central Inspection System will randomly allocate establishments and industries to the inspecting officers and the inspecting officers to the establishments and industries. In case of inspection of an establishment or industry in the area other than the jurisdiction of the inspecting officer, the inspecting officer having administrative jurisdiction shall take up follow-up action.
- (b) The system will ensure that **the same Establishment is not allotted to the same inspector twice consecutively and within a period of 1 year.**

- 9. **Joint Inspection:** The online Central Inspection System will incorporate the offices of the Labour Commissioner Meghalaya, Chief Inspector of Boilers & Factories Meghalaya, Controller of Legal Metrology and Meghalaya State Pollution Control Board. The establishments or industries or factories or boilers that are commonly figured in the lists of the above mentioned offices will be identified and indicated in the portal to the respective inspecting officers of the concerned offices for conducting joint inspections. This will eliminate inspections conducted in silos and ensure reduction of compliance time and cost to the investor/entrepreneur as well as mutual sharing of information between inspecting officers and departments.
- 10. The General Inspection Procedure along with the Inspection Checklist-*cum*-Format laid under the concerned labour laws for inspection of any establishment/industry shall have to be followed in respect of general points, records/registers & returns.
- 11. All such Inspection Report shall be submitted to the appropriate authority through the online Central Inspection System portal, within **72 hours** of completion of the inspection.

This will take effect from the date of its publication in the official Gazette.

**D. P. WAHLANG,**  
Principal Secretary to the Govt. of Meghalaya,  
Labour Department.

The 16<sup>th</sup> October, 2020.

**OFFICE MEMORANDUM**

**Subject:- Procedure for fixation of pay in the 2017 Revised Pay Structure checking and approval of Initial Pay Statement.**

**No.FEG.14/2012/Pt./11.-** In continuation to this Department's existing Office Memorandum No.FEG.14/2012/Pt./10, dated 3<sup>rd</sup> August, 2020, the undersigned is directed to modify the process of checking and approval of Initial Pay Statement (IPS) of the deceased/retired employees as well as of those employees retiring within a period of 6 (six) months for employees of the Directorate of Accounts & Treasuries and Directorate of Local Fund Audit under the control of Finance (Establishment) Department in the interest of public service in order to expedite the matter in disposing of cases relating to Fixation of Revised Pay and approving the Initial Pay Statement of 1996, 2007 & 2017 and complete the process within a reasonable time frame as follows:-

DEPARTMENT/ DIRECTORATES	DELEGATION OF POWER
Finance (Establishment) Department	To dispose of all cases of Fixation of revised Pay and Initial Pay Statement of 1996, 2007 & 2017 of deceased/retired employees and those who are still in Government service viz, Account Officers, Assistant Treasury Officers, Assistant Director of Local Fund Audit and Senior Audit Officer
Directorate of Accounts & Treasuries, Meghalaya, Shillong	To dispose of all cases of Fixation of revised Pay and Initial Pay Statement of 1996, 2007 & 2017 of deceased/retired employees and those who are still in Government service (Gazetted and Non-Gazetted) under the control of Directorate including Treasury staff, Senior and Junior Divisional Assistants.
Directorate of Local Fund Audit, Meghalaya, Shillong	To dispose of all cases of Fixation of revised Pay and Initial Pay Statement of 1996, 2007 & 2017 of deceased/retired employees and those who are still in Government service (Gazetted and Non-Gazetted), under the control of the Directorate including Audit Officers and Assistant Audit Officers.

This has the concurrence of Finance (Pay Revision) Department *vide* their I/D No.F(PR)197/20, dated 24<sup>th</sup> September, 2020.

**R. SWER,**

Joint Secretary to the Government of Meghalaya,  
Finance (Establishment) Department.

The 21<sup>st</sup> October, 2020.

**No.POWER-1/94/443.-** The Governor of Meghalaya is pleased to notify the change of names of the following shareholders of the Meghalaya Energy Corporation Limited and its subsidiary companies, holding equity shares for an on behalf of the Governor Meghalaya with immediate effect :-

Sl. No.	Name of existing share holders	No. of shares	Distinctive number	Transfer and change of name	Event requiring the transfer/change of names
1.	Shri C. Kharkrang, Ex-Director (Corporate Affairs), MeECL.	100	999801- 999900	Shri Arunkumar Kembhavi, IAS as Director (Corporate Affairs), MeECL.	Retirement of Shri C. Kharkrang and joining of Shri Arunkumar Kembhavi, IAS as Director (Corporate Affairs), MeECL.
2.	Shri E. W. Nongrum, Ex-Chairman-cum- Managing Director, MeECL.	100	999401- 999500	Shri Arunkumar Kembhavi, IAS, Chairman-cum-Managing Director, MeECL.	Joining of Shri Arunkumar Kembhavi, IAS, as new Chairman-cum-Managing Director, MeECL.
3.	Smti. A. Nikhla, MCS, Ex-Joint Secretary to the Govt. of Meghalaya Power Department.	999400	1-999400	Shri P. Bakshi, IAS, Secretary to the Govt. of Meghalaya, Power Department.	Cessation of Smti. A. Nikhla, as Joint Secretary, Power Department.
4.	Shri C. Kharkrang Ex-Director (Transmission), MePTCL.	100-	999701- 999800	Shri E. B. Kharmujai, Director (Transmission), MePTCL for on behalf of his excellency the Governor of Meghalaya.	Retirement of Shri C. Kharkrang, and joining Shri E. B. Kharmujai, as new Director (Transmission, MePTCL.

**PRAVIN BAKSHI,**  
Secretary to the Govt. of Meghalaya,  
Power Department.

The 8<sup>th</sup> October, 2020.

**No.DC/XXXIX/Genl/64/2020/3.** - In pursuance to Notification No.UAU.73/2016/Pt.I/59, dated 1<sup>st</sup> February, 2019 of the Urban Affairs Department, Government of Meghalaya, the Executive Committee is pleased to notify the **Khasi Hills Building And Structure Regulatory Authority** with the following as its members:-

**Chairman-**

1. Executive Member i/c Building Bye Laws etc., Khasi Hills Autonomous District Council.

**Members-**

2. Superintending Engineer, Engineering Wing, Khasi Hills Autonomous District Council.
3. Asst. Executive Engineer, Engineering Wing, Khasi Hills Autonomous District Council.
4. Architect, Engineering Wing, Khasi Hills Autonomous District Council.

**Member Secretary-**

5. Member Secretary shall be the Officer i/c Building Bye Laws etc., Khasi Hills Autonomous District Council.

**Terms of Reference:-**

- I. To prepare and finalise the building Bye-Laws in areas falling under the jurisdiction of the Khasi Hills Autonomous District Council with the Khasi Hills Autonomous District (Land Development and Building) Regulation, 2015 as a reference point.
- II. To grant permission to build and occupy a building within set parameters as laid down by the Bye-Laws. This shall involve the process of application through a set of guidelines in terms of land documents and drawings.
- III. To frame regulations and standards for the setting up of any tourism infrastructure (hotels, homestays, landscaping, pathways, viewpoints, bridges, water bodies etc.)
- IV. To regulate land development and land use so as to ward off any negative impact on the environment because of haphazard and unscientific practices like dumping of waste, plastic etc.
- V. The Authority shall oversee the implementation the Meghalaya Building Bye Laws in areas under its administrative jurisdiction temporarily, that is, until they are replaced by its own set of Bye-laws as indicated at I above.
- VI. The Authority may issue additional guidelines/subsidiary rules on Building permission not inconsistent with the existing laws.
- VII. Any other duties and responsibilities that may be entrusted to the Authority from time to time.
- VIII. The Authority may co-opt members as and whenever necessary.
- IX. The Term of Office of the Authority shall be fixed by the Executive Committee.

Secretary to the Executive Committee,  
Khasi Hills Autonomous District Council,  
Shillong.